



PATENT

Case Docket No. ELITRA.011A

Date: February 27, 2003

Page 1

In re application of : Haselbeck et al.  
App. No. : 09/815,242  
Filed : March 21, 2001  
For : IDENTIFICATION OF  
ESSENTIAL GENES IN  
PROKARYOTES  
Examiner : Marjorie A. Moran  
Art Unit : 1631

) I hereby certify that this correspondence and all  
) marked attachments are being deposited with the  
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) and Trademark Office, P.O. 2327, Arlington, VA  
) 22202, on

February 27, 2003

(Date)

*Daniel Hart*  
Daniel Hart, Reg. No. 40,637

UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 2327  
Arlington, VA 22202

Sir:

Transmitted herewith is a response to the office action in the above-identified application.

The fee has been calculated as shown below:

## CLAIMS AS FILED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	100	99	= 1 ×	\$9	= \$9
Independent Claims	45	44	= 1 ×	\$42	= \$42
If application has been amended to contain multiple dependent claim(s), then add				\$140	= \$0
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$51</b>

- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.  
(X) Return prepaid postcard.  
(X) A check in the amount of \$51 is enclosed.

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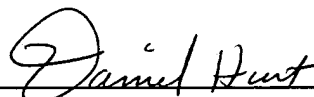
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Page 2

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- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



Daniel Hart

Registration No. 40,637

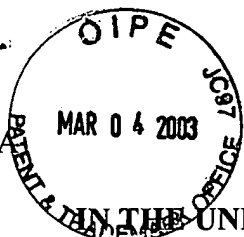
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ELITRA.011A



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Haselbeck, et al. ) Group Art Unit 1631  
Appl. No. : 09/815,242 )  
Filed : March 21, 2001 )  
For : IDENTIFICATION OF )  
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PROKARYOTES )  
Examiner : Marjorie A. Moran )

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RESPONSE TO OFFICE ACTION

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

This is a response to the Office Action mailed on January 27, 2003 (Paper Number 13) in connection with the above-identified application. The Office Action states that the Applicants' reply, filed on October 28, 2002, was not fully responsive to the Examiner's previous Restriction Requirement because the Applicants did not elect a nucleic acid sequence from among the sequences recited in the elected independent claims, but rather, Applicants elected a polypeptide sequence even though no polypeptide sequences were recited in the elected independent claims. In response to this Office Action, Applicants now provisionally elect the nucleic acid sequence of SEQ ID NO: 1463 with traverse.

In their previous reply of October 28, 2002, Applicants elected the claims of Group VII without traverse. Such election is maintained here. Additionally, Applicants respectfully request that the Examiner enter the amendments to claims 12 and 31 and the new claims (Claims 45-99) which were filed with Applicants' previous reply of October 28, 2002. Applicants also

03/06/2003 SDENB0B1 00000086 09815242

01 FC:2201  
02 FC:2202

42.00 OP  
9.00 OP